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7 LASHONDA LYNN CLARK,
8 Plaintiff,
9 v.
10 CORPORATION SERVICE COMPANY
11 OBO WELLS FARGO & CO, et al.,
12 Defendants.

Case No. 22-cv-03476-JD

ORDER RE DISMISSAL

13 Pro se plaintiff Lashonda Clark has sued Wells Fargo and a host of other defendants, and
14 appears to allege that they wrongfully repossessed her vehicle. Dkt. No. 1. Clark was granted
15 leave to proceed in forma pauperis (IFP) under 28 U.S.C. § 1915. Dkt. No. 8.

16 The Court may “at any time” dismiss an IFP complaint that fails to state a claim upon
17 which relief may be granted. 28 U.S.C. § 1915(e)(2)(B). The standard is the same as under
18 Federal Rule of Civil Procedure 12(b)(6). *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012).
19 As a pro se plaintiff, Clark gets a liberal construction of her complaint and the benefit of any
20 doubts, but she still must satisfy the requirements of Rule 8 and state facts sufficient to allege a
21 plausible claim. *Nguyen Gardner v. Chevron Capital Corp.*, No. 15-cv-01514-JD, 2015 WL
22 12976114, at *1 (N.D. Cal. Aug. 27, 2015).

23 The complaint as it currently stands does not meet these standards. To the limited extent it
24 is intelligible, it says that Clark submitted a “notice of claims and debt validation” to Wells Fargo
25 at some unspecified time, that she received unwanted calls and letters from Wells Fargo in
26 attempts to collect payment, that Wells Fargo and unidentified third parties used “skip tracing
27 methods” to locate her vehicle, and that her vehicle was taken without notification or authorization
28 on August 26, 2021. Dkt. No. 1 at 7.

1 These allegations do not state a plausible claim for relief. Although not entirely clear, the
2 complaint appears to assert claims for violations of the Fair Debt Collection Practices Act
3 (FDCPA), 15 U.S.C. § 1692, and the Truth in Lending Act (TILA), 15 U.S.C. § 1601, and
4 invasion of privacy. *See* Dkt. No. 1 at 7. The FDCPA prohibits “debt collector[s]” from “making
5 false or misleading representations and from engaging in various abusive and unfair practices.”
6 *Heintz v. Jenkins*, 514 U.S. 291, 292 (1995); *see also Henderson v. Select Portfolio Servs., Inc.*,
7 No. 3:15-cv-03028-JD, 2016 WL 1059414, at *2 (N.D. Cal. Mar. 17, 2016). On the face of the
8 complaint, it is far from clear that any defendant made false or misleading representations to
9 Clark, or engaged in abusive or unfair practices toward her. The complaint says nothing about
10 predatory lending practices that could support a claim under TILA, and does not describe conduct
11 that could constitute a serious invasion of privacy. *See Heeger v. Facebook, Inc.*, 509 F. Supp. 3d
12 1182, 1193 (N.D. Cal. 2020).

13 Consequently, the complaint is dismissed, and all pending motions are terminated. Clark
14 may file an amended complaint that is consistent with this order by February 1, 2023. Clark may
15 not add any new defendants or claims, or make any additional filings in this case without the
16 Court's prior permission. A failure to meet this deadline or otherwise comply with this order will
17 result in dismissal with prejudice under Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

19 | Dated: January 12, 2023


JAMES DONATO
United States District Judge